

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

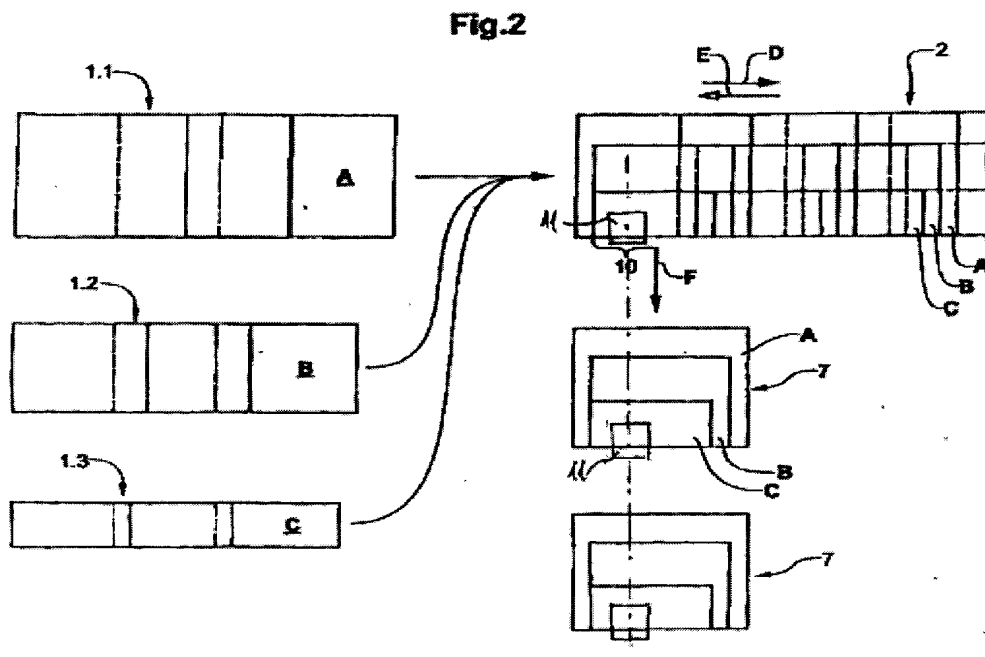
Applicant would also like to thank the Examiner for discussing this matter on the telephone and for the Examiner's preliminary indication that the present language, as well as proposed amendments, would distinguish the claims from the art cited in the current Office action. Applicant will present the matters discussed in the following remarks.

Claims 18, 19, 25 and 26 remain in the application. Claims 25 and 26 are new and include features discussed by the Applicant and Examiner. Consideration of new claims 25 and 26 is respectfully requested. Specifically, claim 25 includes all of the features of claim 18 plus an additional feature regarding the state of the part product groups after the separation step. Claim 26 includes all of the features of claim 18 plus additional description of the imbricated state of the supply streams and the row of part product groups.

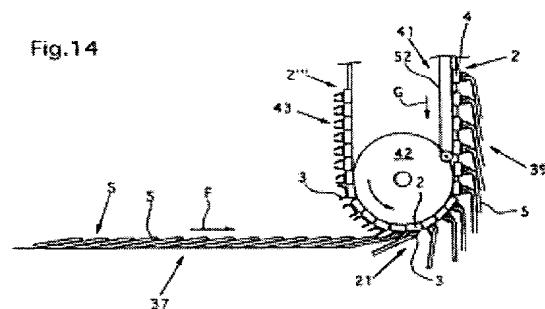
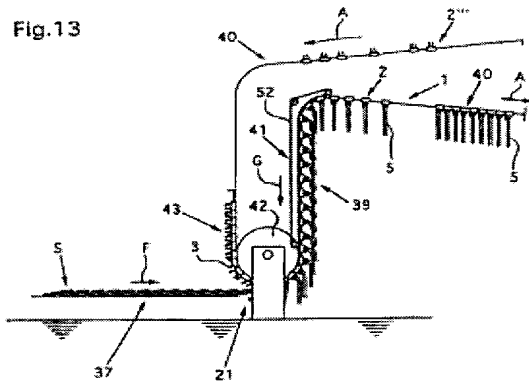
Claims 18 stands rejected as being unpatentable under 35 U.S.C. §103(a) over U.S. Patent 4,684,118 to Boss et al. (hereinafter Boss) in view of U.S. Patent 5,727,781 to Muller (hereinafter Muller) and further in view of U.S. 6,270,076 to Reist (hereinafter Reist '076). For the following reasons the Examiner's rejection is traversed.

Even if the references were combined in the manner suggested by the

Examiner, the present invention would not result. Further modification would be required. Fig. 2, of Applicant's drawings has been reproduced below. This figure illustrates the direction of claimed removal of each part product group by gripping it specifically "from said common side of the row in the range of said aligned edges and removing it from the head end of the row in a third direction (F) substantially perpendicular to the second direction (E) and parallel to a plane of the flat portion of the products in the row".



To show a removal direction in the prior art, the Examiner's cites Reist '076, specifically Figs. 13 and 14, which have been reproduced below. However, the direction of removal is not the same as that claimed. If the claim language were applied to the configuration shown in Reist '076, the removal direction would be into or out of the page. This direction, however, is not shown in Reist '076. Rather, a removal direction comparable to direction E in Applicant's Fig. 2 above is shown.



Applicant also notes that the reference U.S. 4,866,910 to Reist, previously cited, also does not disclose or teach removal in the required direction using grippers.

For at least the reasons stated above, reconsideration and withdrawal of the rejection of claim 18 is respectfully requested.

Dependent claim 19 stands rejected as being unpatentable over Boss and Muller and Reist '076, further in view of U.S. Patent 5,660,382 to Meier. Claim 19 depends directly from claim 18 and the Meier reference does not cure the deficiencies in Reist '076 with regard to how grippers separate part product groups from a row. Thus, reconsideration and withdrawal of the rejection of claim 19 is also respectfully requested.

Claim 25 is new and new and believed to be patentable over the cited references for the additional reason that the new, additional claim language within

claim 25 is not taught or suggested. Specifically, claim 25 includes the language "gripping with a gripper, each part product group from said common side of the row in the range (10) of said aligned edges and removing it from the head end of the row in a third direction (F) substantially perpendicular to the second direction (E) and parallel to a plane of the flat portion of the products in the row *for a distance large enough for fully freeing the part products of each separated group from overlap with products of the following group*" (italics added). The Reist '076 reference in Figs. 13 and 14, that the Examiner used to show separation, clearly does not teach fully freeing the part products. Rather, the part products remain in overlapping lines after they are gripped.

Claim 26 is new and includes the new claim language "wherein the part products of the supply streams and in the row overlap one another *such that the part product of one type (A,B,C) is imbricated with the adjacent part product of the same type (A,B,C)*" (italics added). The Muller reference used by the Examiner to show row alignment does not show a row of the type claimed, especially as described by this new language, wherein one edge of each part product is aligned with an edge of the remaining part products and the aligned edges facing a common side of the row and wherein the one aligned edge of the part product within each part product group is parallel to the longitudinal row. Rather, referring to Figs. 1 and 4 of Muller, prior to separation point 36, any aligned edges of the articles are not parallel with the longitudinal direction of the row and after the separation point 36 (either before or after collation drum 38), the form of imbrication claimed is not present.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. Again,

Applicant appreciates the Examiner taking time to discuss this matter on the telephone and if it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney (216) 472-0553 to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. FRR-15710.

Respectfully submitted,

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